

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63075

Kazunobu FUJIKAWA, et al.

Appln. No.: 09/763,194

Group Art Unit: 1725

Confirmation No.: 3832

Examiner: Maria Alexandra ELVE

Filed: February 20, 2001

For: METHOD AND APPARATUS FOR SURFACE DISCHARGE PROCESSING, AND AN  
ELECTRODE FOR SURFACE DISCHARGE PROCESSING

**PETITION UNDER 37 C.F.R. § 1.182 TO ACCEPT APPLICATION  
AS CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)**

**BOX PCT****Attn: PCT Legal**

Commissioner for Patents

Washington, D.C. 20231

RECEIVED  
SEP 11 2003  
1C 1700

Sir:

This is a Petition under 37 CFR § 1.182 which requests the Commissioner to accept the above-identified application as a Continuation Application under 37 C.F.R. § 1.53(b) of prior PCT Application No. PCT/JP99/02379.

On February 20, 2001, a transmittal letter was filed in above-identified application requesting a Continuation Application under 37 C.F.R. § 1.53(b) of prior PCT Application No. PCT/JP99/02379. The transmittal letter (see Attachment 1) consistently indicated in three locations (including in bold enlarged text in the center of letter) that the application was being filed as a Continuation Application of PCT Application No. PCT/JP99/02379. In addition, an executed Declaration (see Attachment 2) was filed along with the transmittal letter on February 20, 2001 and included a claim for domestic priority under 35 U.S.C. § 120 from PCT Application No. PCT/JP99/02379.

However, as indicated in the Notification of Acceptance of Application under 35 U.S.C. § 371 and 37 C.F.R. § 1.494 or 1.495 dated March 19, 2001, the present application was

PETITION UNDER 37 C.F.R. § 1.182  
Application No. 09/462,672

incorrectly processed as a National stage application under 35 U.S.C. § 371 (rather than as a Continuation Application under 37 C.F.R. § 1.53(b)) for PCT Application No. PCT/JP99/02379.

In view of the transmittal letter filed February 20, 2001 properly requesting a Continuation Application under 37 C.F.R. § 1.53(b) of prior PCT Application No. PCT/JP99/02379, and the executed declaration submitted along with the transmittal letter including a claim for domestic priority under 35 U.S.C. § 120 from PCT Application No. PCT/JP99/02379, Applicants request that this Petition be granted and that the Office accept this application as a Continuation Application under 37 C.F.R. § 1.53(b) of prior PCT Application No. PCT/JP99/02379.

A check for the statutory fee of \$130.00 is attached. Please charge any additional petition fees and fees under 37 C.F.R. § 1.16 or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to Deposit Account No. 19-4880. A duplicate copy of this paper is enclosed.

Respectfully submitted,



Christopher R. Lipp  
Registration No. 41,157

SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

Date: September 2, 2003